

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff – Appellee,

v.

Appeal No. 14-4498  
(2:13-00239-1)

MICHAEL THORNSBURY,

Defendant – Appellant.

**MOTION TO CONTINUE**

Now comes Appellant, Michael Thornsburg, by and through his undersigned counsel, John H. Tinney, Jr., and respectfully moves this Court for an extension of the deadline for filing appellant's Opening Brief and Joint Appendix. In support of this motion, appellant states as follows:

1. Appellant's current deadline for filing his Opening Brief and Joint Appendix is November 21, 2014;
2. Appellant appeals his sentence and final judgment following a plea agreement in the District Court;
3. Appellant's undersigned counsel was retained to pursue this appeal, however, the undersigned was not appellant's trial counsel;
4. On July 29, 2014, the undersigned suffered a medical emergency and filed a Motion for Extension of Deadline to File Appellant's Opening Brief;
5. On July 29, 2014, the Court granted Appellant's motion and issued an Order setting a new briefing schedule

6. On this date, Appellant's undersigned counsel was informed of a potential conflict in representation and requests additional time to address this issue.
7. Appellant is currently incarcerated in a federal correctional institute in another state.
8. The undersigned is authorized to represent that the United States has no objection to this request.

Wherefore, for the foregoing reason, Appellant, Michael Thornsburg, respectfully requests that this Court grant his motion and extend the current deadline for filing his Opening Brief and Joint Appendix.

MICHAEL THORNSBURY  
By Counsel

/s/ John H. Tinney, Jr.

John H. Tinney, Jr.  
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**CERTIFICATE OF SERVICE**

I certify that on the 19<sup>th</sup> day of November, 2014 the foregoing Motion to Continue was served on all parties of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the address listed below:

C. Haley Bunn, AUSA  
U.S. Attorney's Office  
300 Virginia Street, E., Suite 4000  
Charleston, WV 25301

/s/ John H. Tinney, Jr.  
John H. Tinney, Jr.